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HOUSE RESOLUTION

2           WHEREAS, The right to trial by jury was guaranteed to  
3 certain free subjects of the King of England and his successors  
4 by the Magna Carta of 1215, among the first official documents  
5 ever to limit the power of government over individual citizens;  
6 and

7           WHEREAS, Over subsequent centuries, the rights and  
8 liberties guaranteed by that great charter grew to safeguard  
9 the liberties of all English subjects; and

10           WHEREAS, Royal interference with the right to trial by  
11 jury, along with unfair taxation imposed without the consent of  
12 the governed, figured prominently in the colonists' subsequent  
13 dissatisfaction with English rule, which culminated in  
14 revolution and independence; and

15           WHEREAS, The First Continental Congress, convened in 1774  
16 to protest further abuses and prepare for a larger  
17 confrontation, declared and resolved "that the respective  
18 colonies are entitled to the common law of England, and more  
19 especially to the great and inestimable privilege of being  
20 tried by their peers of the vicinage, according to the course  
21 of that law"; and

1           WHEREAS, The Declaration of Independence revoked the  
2 colonies' allegiance to King George III on July 4, 1776, for,  
3 among other abuses, "depriving us in many cases, of the  
4 benefits of trial by jury"; and

5           WHEREAS, Thomas Jefferson, author of the Declaration of  
6 Independence, member of the Continental Congress, and  
7 President of the United States, wrote to Thomas Paine in 1789  
8 and declared that "I consider trial by jury as the only anchor  
9 ever yet imagined by man, by which a government can be held to  
10 the principles of its constitution"; and

11           WHEREAS, John Adams, first Vice-President of the United  
12 States, and Second President of the United States, reflected  
13 upon juries as "the heart and lungs of liberty"; and

14           WHEREAS, John Marshall, Secretary of State, Chief Justice  
15 of the United States Supreme Court, and namesake of the Chicago  
16 law school expressed in the Virginia Convention to ratify the  
17 United States Constitution his "hope that in this country,  
18 where impartiality is so much admired, the laws will direct  
19 facts to be ascertained by a jury"; and

20           WHEREAS, The late Chief Justice of the United States  
21 Supreme Court William H. Rehnquist said in 1979 that "the  
22 founders of our nation considered the right of trial by jury in

1 civil cases an important bulwark against tyranny and  
2 corruption, a safeguard too precious to be left to the whim of  
3 the sovereign. Juries represent the layman's common sense and  
4 this keeps the administration of the law in accord with the  
5 wishes and feelings of the community"; and

6 WHEREAS, Abraham Lincoln, sixteenth President of the  
7 United States, the Great Emancipator, and self-proclaimed  
8 "prairie lawyer" who tried hundreds of cases remarked on the  
9 value of jury service as "the highest calling of any citizen";  
10 and

11 WHEREAS, In 1954, in a decision that echoed through the  
12 halls of every school throughout the United States, Brown v.  
13 Board of Education, desegregation of schoolchildren within our  
14 schools was achieved, pursuant to the "Equal Protection"  
15 provisions of the 14th Amendment to the United States  
16 Constitution, through the civil justice system; and

17 WHEREAS, Those that pollute the air that we breathe, the  
18 water that we drink, and the soil from which we grow our crops  
19 have been held to account through our civil justice system and  
20 trial by jury; and

21 WHEREAS, Safety protocols and procedures have been  
22 improved for: packaging and delivery of medicines;

1 automobiles, airplanes, and trains; the toys with which our  
2 children and grandchildren play; the construction and  
3 maintenance of our homes and buildings; and countless other  
4 protections have been achieved through the civil justice system  
5 and trial by jury; and

6 WHEREAS, Illinois' courts are open to its citizens that are  
7 harmed by the actions of another, and to businesses, which  
8 account for 70% of civil case filings; and

9 WHEREAS, Article 1, Section 13 of the Constitution of the  
10 State of Illinois states that "The right of trial by jury as  
11 heretofore enjoyed shall remain inviolate"; and

12 WHEREAS, Recognizing that juries are selected fairly and  
13 randomly from the pools of adult resident citizens, which are  
14 cut from the fabric of each of Illinois' communities and  
15 represent the strengths of Illinois' diversity and are without  
16 consideration for color, gender, race, creed, religion,  
17 socioeconomic status, or sexual orientation; and

18 WHEREAS, It is this recognition and these strengths that  
19 fundamentally empower our citizens, and ensure that jurors are  
20 coequal within the jury box; and

21 WHEREAS, Citizen empowerment and having fair sanctuary to

1 pursue justice before a jury of our peers in a court of law are  
2 sacrosanct cornerstones of democracy; and

3 WHEREAS, The sentiments of these Founding Fathers,  
4 patriots, jurists, and legislators are shared by many Americans  
5 who regard the right of trial by jury as an essential safeguard  
6 of liberty; therefore, be it

7 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE  
8 NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that in  
9 order for Illinois' citizens to have fair opportunity to  
10 redress their grievances, to maintain a system of justice that  
11 lends no favor within its arena, and to insure that the scale  
12 of justice remains blind to its pursuers, we declare the right  
13 to trial by jury of one's peers be preserved, neither altered  
14 nor eroded by those that may threaten it, in accordance with  
15 the foresight of our ancestors that safeguarded this most  
16 fundamental right.